

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUMIT GARG,

Defendant.

CASE NO. CR21-0045-JCC

ORDER

This matter comes before the Court on Defendant's response to the Government's motion to continue trial. (Dkt. No. 164). Having thoroughly considered the briefing, and finding oral argument unnecessary, the Court GRANTS the Defendant's request to continue the trial for the reasons described herein.

Defendant's previous defense counsel was granted leave to withdraw from this case on October 13. (Dkt. No. 159.) Given the complexity of this case, including voluminous evidence, newly appointed counsel has indicated that he will not be prepared to try this case in early December. (Dkt. No. 164.)

The Court FINDS that, taking into account the exercise of due diligence, the failure to grant a continuance would deny Defendant and his new counsel the reasonable time necessary for effective preparation, resulting in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i), (ii). Based on these findings, the Court concludes that the ends of justice served by granting a

1 continuance outweigh the best interest of the public and of Defendant to a speedy trial. *Id.*
2 § 3161(h)(7)(A).

3 Accordingly, the Court GRANTS Defendant's request to continue (Dkt. No. 164) and
4 ORDERS as follows:

- 5 1. The December 19, 2022 jury trial is CONTINUED until July 10, 2023.
- 6 2. The pretrial motions deadline has passed.
- 7 3. The period from the date of this order through the new trial date, July 10, 2023, is
8 excludable under 18 U.S.C. § 3161(h)(6) and (h)(7)(A).

9 DATED this 20th day of October 2022.

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13 John C. Coughenour
14 UNITED STATES DISTRICT JUDGE
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